

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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ANNIVERSARY MINING CLAIMS, LLC,
Plaintiff(s),
v.
UNITED STATES OF AMERICA,
Defendant(s).

Case No. 2:19-CV-458 JCM (DJA)

ORDER

Presently before the court is the parties' stipulation to extend the deadlines to respond and reply to defendant United States of America's ("USA") motion to dismiss plaintiff's amended complaint. (ECF No. 57). Also before the court is plaintiff Anniversary Mining Claims, LLC's ("Anniversary") unopposed motion to further extend the deadlines an additional 14 days. (ECF No. 58).

On October 8, 2021, USA filed a motion to dismiss Anniversary's amended complaint. (ECF No. 56). This triggered an initial response deadline of October 22, 2021. On October 19, 2021, the parties filed a stipulation to extend the time for Anniversary to respond, to a new deadline of November 5, 2021, and for USA to reply, to a new deadline of November 19, 2021. (ECF No. 57). On November 5, 2021, Anniversary filed an unopposed motion for an additional extension of 14 days, requesting a new response deadline of November 19, 2021, and a new reply deadline of December 3, 2021, for USA. (ECF No. 58).


In the stipulation filed on October 19, 2021, counsel for Anniversary asserted that "administrative burdens" in his workload prevented proper preparation for filing a response to the motion to dismiss. (ECF No. 57 at 1). In the recent November 5, 2021, unopposed motion to extend time, counsel for Anniversary further contends that he has been overburdened with

1 a “separate urgent matter” regarding a temporary restraining order. (ECF No. 58 at 1).
2 Anniversary’s counsel avers he contacted counsel for USA on November 3, 2021, and USA
3 indicated that a motion to further extend the deadlines would go unopposed. (*Id.* at 2).

4 With good cause appearing, the parties’ stipulation to extend the initial response and
5 reply deadlines for the motion to dismiss the amended complaint (ECF No. 57) is GRANTED
6 *nunc pro tunc*. Anniversary’s unopposed motion to further extend the deadlines an additional
7 14 days (ECF No. 58) is also GRANTED. Anniversary shall have until November 19, 2021,
8 to file a response to USA’s motion to dismiss the amended complaint (ECF No. 56). USA
9 shall have until December 3, 2021, to file a reply.

10 IT IS SO ORDERED.

11 DATED November 10, 2021.

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14 UNITED STATES DISTRICT JUDGE
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